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April 14, 2018

VIA ECF

The Honorable Katherine B. Forrest, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, N.Y. 10007

Re: *Robreno et al. v. Eataly et al.*
Case No. 17-CV-9361 (KBF) (SN)

Dear Judge Forrest:

We represent the Defendants in the above-referenced action brought under The Fair Labor Standards Act ("FLSA"). We write to request that the Court issue an order granting Defendants permission to file under seal a list of names and addresses of Defendants' employees that conform to the FLSA collective plaintiffs seek to conditionally certify, in accordance with attachment "C" of Your Honor's Individual Rules of Practice.

Defendants filed their Opposition to Plaintiffs' Motion for Conditional Certification yesterday April 13, 2018. Dkt. No. 69. Defendants submitted with their opposition a redacted list of the employees, including their addresses, who fall within the definition of Plaintiffs' proposed collective. Dkt. No. 72.

We mistakenly believed that attachment "C," which states that defendants may file the list under seal if they conclude the information is competitively sensitive, authorized us to file the list under seal. Upon further review of the sealing procedures, however, we concluded that we also required a court order to file the list under seal. We realized this late on April 13 and we apologize for the delay in bringing this application.

The employees' names and addresses are sensitive private information. They are also competitively sensitive in light of the acute competition for workers in the restaurant industry. No prejudice will result to Plaintiffs if our request to seal is granted.

so advised.
K.B. Forrest
USDS
4/18/18

ELLENOFF GROSSMAN & SCHOLE LLP
ATTORNEYS AT LAW

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Accordingly, we request that the Court issue an order allowing the employee list discussed above to be filed under seal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steph Sanon", with a large, stylized loop at the end.

Stephania C. Sanon

cc: C.K. Lee, Esq. (Via ECF)